SOUTH CAROLINA LAW ENFORCEMENT DIVISION

4400 BROAD RIVER ROAD
COLUMBIA, SOUTH CAROLINA 29210

POLICY #: 8.12.25	DATE: 09/01/93	REVISION DATE:
TITLE: IMPLIED CONSENT - BAC DATAMASTER STATUS/ ERROR CODES		PAGE 1 OF 2

RESPONSIBLE AUTHORITY: SPECIAL AGENT IN CHARGE OF
                         FORENSIC SERVICES LABORATORY

RELATED STANDARDS/STATUTES/REFERENCES: S.C. Code of Laws, Section 56-5-2950
                                         S.C. Code of Laws, Section 50-21-114
                                         S.C. Code of Laws, Section 55-1-100
                                         S.C. Code of Laws, Section 56-1-2130

GENERAL PURPOSE: To set forth policies for the administration of implied consent breath alcohol tests.

POLICY: The Division will establish procedures for properly conducting implied consent BAC DataMaster breath alcohol tests.

SPECIFIC PROCEDURES: Any status/error code that occurs during the run sequence will cause the test to abort. The instrument is programmed in this way to eliminate any chance of an improper test. All checks such as internal standard, simulator solution temperature, simulator solution reading, etc. must pass or the test is aborted at the point of the failed check, and the evidence ticket is printed with the failure denoted in the form of a status/error code. A power failure will cause the test to abort with no printing on the ticket, which may be used again.

     To ensure that a proper test is administered, a test is defined as successful completion of run sequence procedures (1) - (12) along with the printing of signature lines. Aborted tests are not considered completed tests. Only one completed test may be administered per subject for any one implied consent violation. Previous or subsequent status/error codes do not in any way affect the accuracy of a completed test. If the test is aborted for any reason, the test sequence should be started over, except that the three checks on the checklist and twenty minute minimum observation period do not have to be repeated (checking of mouth and observation period must be repeated in the case of an "INVALID SAMPLE" or "DETECTOR OVERFLOW" reading). The subject may reuse the same mouthpiece in the case of any aborted tests. This is not considered a second breath test because a test has not been completed. If a reading is obtained for the subject sample, but a status/error code then occurs and aborts the test, this is not a valid test, and the test sequence should be repeated. The test sequence may be repeated either on the same instrument or another instrument. If the same status/error code were to occur again on the same instrument, it would again abort the test. The test operator should retain copies of all aborted tests.

If after all test questions are answered and the instrument incurs a status/error code, the instrument may prompt, "USE PREVIOUS DATA? <Y/N>" after the run button is pressed. If the operator answers "Y", the instrument will begin a review of last set of data. If the operator answers "N", the previous data is not displayed.